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TRANSMITTAL LETTER
(General • Patent Pending)

Docket No.
99-055

In Re Application Of: JAY S. WALKER et al.

Serial No.
09/359,265

Filing Date
July 22, 1999

Examiner
RIMELL, Samuel G.

Group Art Unit
2175

Title:

SYSTEM AND METHOD FOR PRICING A TRAVEL PRODUCT BASED ON A TRAVELER'S SPECIFIED DEGREE OF FLEXIBILITY

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**Summary of Telephone Interview, 3 pp.; and
Return Receipt Postcard.**

in the above identified application.

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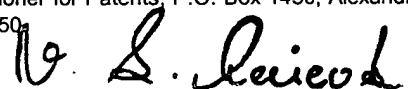
Dated: December 1, 2003

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Veronika S. Leliever

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

 #22
 1/6/04
 A.W.

Applicants: Walker et al.

Application No.: 09/359,265

Filed: July 22, 1999

 For: SYSTEM AND METHOD FOR
 PRICING A TRAVEL PRODUCT
 BASED ON A TRAVELER'S
 SPECIFIED DEGREE OF
 FLEXIBILITY

) Group Art Unit: 2175
)
) Examiner: RIMELL, Samuel G.
) (703) 306-5626 /voice
)
)
)

) SUMMARY OF TELEPHONE
) INTERVIEW

) Held on November 26, 2003

) Attorney Docket No.: 99-055 DEC 1 0 2003

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 Alexandria, VA 22313-1450

Dear Sir:

 In response to the Telephone Interview held on November 26, 2003, consideration of the
 following remarks is respectfully requested.

REMARKS**Summary of Telephone Interview**

Applicants would like to thank the Examiner for the courtesy of the telephone conversation held on November 26, 2003, with Applicants' representative. The Examiner and Applicants' representative discussed the present application in light of U.S. Patent No. 6,134,534 issued to Walker et al. ("Walker '534").

The Examiner and Applicants' representative agreed that Walker '534 at Column 7, lines 19-21, suggests that (i) if a customer's conditional purchase offer (CPO) is accepted by at least one airline, and (ii) if the customer does not book a ticket, then (iii) a penalty or fee can be charged to the customer for not booking the ticket.

Although the Examiner acknowledged that the penalty is described as being charged if a ticket is not booked (i.e., the customer is not purchasing a travel product), the Examiner nevertheless also asserted that the penalty described in Walker '534 suggests a price for sale of a travel product, as generally recited in Claim 3. Applicants' representative did not agree.

The Examiner also stated that the described penalty for not booking a ticket suggests an "offer for sale" of a travel product. Applicants' representative did not agree.

The Examiner also stated that the described penalty for not booking a ticket suggests a price for sale of a travel product that is a percentage discount off of an established price, as generally recited in Claim 3. Applicants' representative did not agree.

While no formal agreement was reached, Applicants are grateful for the opportunity to discuss the present application with the Examiner.

Conclusion

Please charge any fees that may be required for this paper to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this paper timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this Interview Summary or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,



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December 1, 2003
Date